

1 SENATE BILL NO. 468

2 INTRODUCED BY BARKUS, MURPHY, RIPLEY, PERRY, JONES, KLOCK, ANKNEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT EVIDENCE OF SEAT BELT USE OR FAILURE
5 TO USE A SEAT BELT IS ADMISSIBLE AS EVIDENCE IN CIVIL ACTIONS FOR WRONGFUL DEATH,
6 PERSONAL INJURY, OR PROPERTY DAMAGE RESULTING FROM THE USE OR OPERATION OF A MOTOR
7 VEHICLE; AND AMENDING SECTION 61-13-106, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 61-13-106, MCA, is amended to read:

12 **"61-13-106. Evidence not admissible.** Evidence of compliance or failure to comply with 61-13-103 ~~is~~
13 ~~MAY BE~~ not admissible in any civil action for WRONGFUL DEATH, personal injury, or property damage resulting from
14 the use or operation of a motor vehicle, ~~and failure. Failure to comply with 61-13-103 does not constitute may~~
15 ~~serve as evidence to show negligence and to reduce the liability of an insurer and any party to the action."~~

16 - END -